App F IX 4

Previous References (1941) File No 56-41

Serial Nos 129, 175, 176

Later References

GENERAL AND REVENUE SECRETARIAT.

Serial Nos Three

Part B for Three 42

SUBJECT

Election of non-official President — Shimoga Town Municipal Council

To,

The Comptroller,

L 11439/56 42

Notifies the ___

The D C Shimoga

L 11440 & 56 42

For his copy

4394/L

Election of a Non-Official President — Shimoga Town Ml Cl

General and Revenue Secretariat | File No Ml 56 of 1941 | [App F III-2

Serial No

129 Letter no M3-C 1986/41-42 dated 29-1-42 from the Deputy Commissioner Shimoga Dist forwarding a report regarding the election of a non-official president for Shimoga Town Municipal Council.

1) Submitted for perusal.

2) In the election held, one Mr C Ramaswamy Setty is declared to have been elected as president.

3) As an objection petition contesting the validity of the election has been filed in his office, the Dy Commr has promised further report in the matter which will, if appd, be awaited.

[signature] 30/1/42

[signature] 31/1/42

[signature] for 31/1/42

4) For perusal

Minister for Law (?) 5) [signature] 31/1/42

[signature] 31/1/42 [signature]

[signature] 31/1/42 [signature]

SECY LAW DEPT 911 31-1-42 GOVT OF MYSORE

... STER ... & REVENUE 31 JAN 1942 No 4422

Sus [signature] af Gy file Regn

NOTE—Cont Sheet

Election of non-official President—
Shimoga Town Mnl Cl

ML File No | of 1941 | General and Revenue Secretariat

Serial No

Letter no M3 C 1986/41-42 dated 26-3-42 from the Deputy Commissioner, Shimoga Dist- forwarding a detailed report of enquiry held by him on the objection petition filed in his office, as to the Validity of the election of non-official President of Shimoga Town Municipal Council

6) These papers relate to the election of a non-official President to the Shimoga Town M C

7) The privilege of having an elected president was conferred on the Shimoga Town Mnl Cl in G.O dated 16-12-41 Flag E and an election for the purpose was held on 17-1-42 Out of the ten Candidates who had stood for election, eight Candidates withdrew their Candidature and the remaining two Candidates, Viz, Messrs C Ramaswamy Setty and H Khaja Abdul Sattar Contested the election Mr C Ramaswamy Setty secured 12 votes while Mr Khaja Abdul Sattar secured only 9 votes and the former was therefore declared elected, at a Special meeting of the Council, Flag C as President-

8) Rule- under Rule 7 of the

Election of Non-Official President
Shimoga Town Mul cl

General and Revenue* Secretariat | ML File No | of 1941 | [App F III—2

Serial No	
Flag B	Election Rules, a petition contesting the validity of the election in question was filed before the Dy Comr, Shimoga by three Councillors including Mr Khaja Abdul Sattar, a defeated candidate. The D C has held a thorough enquiry in respect of the allegations contained in the objection petition and submitted a report in the matter
Flag D	
	2) The grounds of objection that are urged in the petition are detailed
Flag A	on page 3 of the D Cs report and are briefly as follows:—
	(1) The Election Rules are inconsistent with the provisions of the Town Municipalities Act, 1933
	(2) The Vice-President's action in fixing the date of election Eltn and in having received the nomination papers though he himself was a candidate for the election is in contravention of the provisions of the Act
	(3) The mode in which the votes were taken at the election was not in conformity with any recognised mode of election

NOTE—Contn Sheet

WD 04155—GPB—55 000—28 10 41

Election of Hon- of fical president-
Shimoga Town Mnl cl

ML File No 5732 | L of 1941 — General and Revenue Secretariat

Serial No

(4)- The action of the Ex- officio president - in presiding at the meeting without - his being elected to preside does not conform to Rule 4 of the Election Rules --

(5-) The Successful Candidate secured votes - by Corrupt- practice -

1) The Dy Comr has examined each one of the allegations in detail in the light- of evidence collected for the purpose and has also looked into the legal aspects, in the report now submitted by him He is of opinion that the election of Mr Ramaswamy Setty is valid and the allegation made in the objection petition are not- tenable

11) The opinion of the D C in the matter seems is correct and the election of Mr- Ramaswamy Setty may perhaps be approved and notified --

12) Submitted for orders.

Sd 30/3/42

13) The detailed and exhaustive report of enquiry of the D C through Deputy is flagged D

Sd 30/3

His findings may, for reasons given by him, be accepted & the election of Mr C Rameswamy Setty approved

Sd illegible

14) The Law section may also peruse the opinion of the D C's findings, if approved

Law Secy 30/3/42

SECY LAW DEPT 2675-41 31 MAR 1942 GOVT OF MYSORE

Election of a new Pr President
Shimoga Town Mbl
5732

General and Revenue Secretariat — File No 56 of 1941-42 ~~[App. F. III—2~~

Serial No

15) The report of the D C may be accepted and the election of Mr C Ramaswamy Setty may be approved

Minister (L.S.G.) Hm 2 31/3/42

Approved
may issue early
L.S.G. 30 3 42

A draft notn is submitted for approval
Secy (L.S.G.) 3-6-42
Secy (L.S.G.) 4/6/42
Secy (L.S.G.) 5/6/42

To the Compiler Mysore Gazette
No L 11439 dated 5-6-1942
Notifies the election of Mr C Ramaswamy Setty as the President of the Shimoga Town Mbl

To
The D C Shimoga
Memo No L 11460 dt 5-6-42
Forwards a copy of the above

OFFICE OF THE MINISTER FOR L S G & P H
Date 6-6-1942
No 5060

SECY L S W DEPT
4988
3 JUN 1942
GOVT OF MYSORE

Note—Cover Sheet

WD 04155—GPB—55 000— 3 10 41

Fi' No	of 194	General and Revenue Secretariat
		Serial No

4394/L

No M 3 C 1986/41-42
Encs two

OFFICE OF THE DEPUTY COMMISSIONER
SHIMOGA DISTRICT

Dated Shimoga, the 29th January 1942

From M Navaneetham Naidu Esq , B A ,B L , Ma 56-41-129
~~M SESHADRI, ESQ, M A,~~
Deputy Commissioner, Shimoga District

To H V Narayana Rao Esq , B A , LL B ,
Secretary to the Government of His Highness the Maharaja of Mysore,
Law *Department, Bangalore*

Subject — Shimoga Municipality, Non-official President, Election of -

Sir,

With reference to Government Order No L 5194-96/Ml 56-41-105 dated 16th December 1941, conferring on the Shimoga Town Municipal Council, the privilege of electing their non-official President, and calling for a report re the election of the President, I have the honor to state that action was taken in accordance with the rules regulating the election of Presidents of Town Municipalities

2 The date of the meeting (a special General meeting) for the election of the President was duly fixed for the 17th January 1942 The election took place on the 17th inst accordingly Out of the ten candidates who had stood for election, eight candidates withdrew their candidature on the election date, leaving only two, viz , Mr C Ramaswami Setty and Mr H Khaji Abdul Sattar, as the contesting candidates All the 21 Councillors were present and the votes were recorded by ballot The ex-officio President (Mr Syed Abdul Gani) presided over the meeting Mr C Ramaswami Setty secured 12 votes, while Mr H Khaji Abdul Sattar secured only 9 votes Mr C Ramaswamy Setty who secured a larger number of votes was therefore declared as President A copy of the Proceedings of the meeting of the Municipal Council is herein enclosed, together with a copy of

the

the letter No C.1-173/41-42 dated 18th January 1942 received from the President reporting the result of election

3 Under Rule 7 of the Rules in this behalf, a petition contesting the validity of the election has been filed in the Deputy Commissioner's Office on the 26th inst by three Councillors, (Messrs/Khaji Abdul Sattar, K Mir Azam and S A Raman), through their Counsel (Mr H Lingappa, Advocate, Shimoga), stating that ~~the~~ the petition is in time, as the 24th and 25th instant were holidays, and alleging some irregularities and illegalities in the conduct of the election, and praying that an enquiry may be held and the election declared invalid and a fresh election ordered

4 As required in Rule 8 of the Rules in this behalf, an enquiry into the validity of the objections will be duly held I shall hold the enquiry myself and submit a report of the proceedings, together with my findings and opinion in the matter, to Government

I have the honor to be,

Sir,

Your most obedient servant,

Navaneeth

29/1/42

Deputy Commissioner,
Shimoga District

5732/L

Confidential.

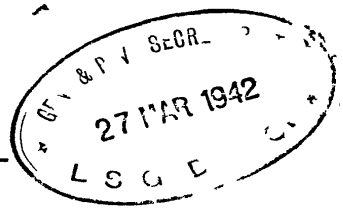
OFFICE OF THE DEPUTY COMMISSIONER
SHIMOGA DISTRICT
(camp) Bhadravati,
Dated ~~Shimoga~~ the 24/26th March 1942

No M3.C.1986/41-42.
Fncs Report of enquiry ~~one exhibit~~ -
with 2 files of records

Mr SC-41-175

From

M Navaneetham Naidu, Esq , B A , B L ,
~~M xx SESHADRI, Esq, B A ,~~
Deputy Commissioner,
Shimoga District,
Shimoga



To

H V Narayana Rao , Esq , B A , LL B ,
Secretary to Government of His Highness
the Maharaja of Mysore,
Law *Department,*
Bangalore

Subject — Shimoga Town Municipal Council- Non-official President -
- Election of -

Sir,

In continuation of my letter No M3 C 1986/41-42 dated 29th January 1942 on the above subject, I have the honour to ~~xxxx~~ submit herewith, to Government, my detailed report of enquiry held by me, into the validity of the election of non-official President of Shimoga Town Municipal Council, on the objection petition filed in this office I have given in my report my findings and opinion for the orders of Government

The entire records of enquiry together with the connected papers obtained from the Municipal Office, Shimoga are also submitted with the report, for kind reference and return when done with

I have the honour to be,

Sir,

Your most obedient servant,

Navaneetham

~~Deputy Commissioner,~~
Shimoga District.

PROCEEDINGS OF THE SPECIAL GENERAL MEETING OF THE TOWN MUNICIPAL COUNCIL, SHIMOGA HELD ON 17-1-1942 AT 6 P M

MEMBERS PRESENT -

M/S

1 N Sreekantiah
2 The District Health Officer
3 Rev Father Joseph A D'Souza
4 S P Laxmanappa
5 V S Thirupaliah
6 Khaji Abdul Sattar
7 S A Raman
8 K Mir Azam
9 The Executive Engineer
10 H K N Acharya
11 S N Siddappa.
12 C Ramasami Setty
13 U P Shankara Rao
14 N S Basappa
15 Biligi D Ramanna
16 K Krishna Moorthy
17 G C Mahalingappa
18 R K Jayathirthachar
19 M Narasimha Kamath
20 K Ramaswami (Vice-President)
21 S A Gani (President

Subject -

The Election of Non-Official President to the Town Municipal Council, Shimoga

Out of the ten nominations the following nominations were withdrawn by the respective gentlemen themselves -

Messrs

1 G C Mahalingappa
2 K Krishna Moorthy
3 K Ramaswami
4 M Narasimha Kamath
5 R K Jayathirthachar
6 H K N Acharya
7 N Srikantiah
8 V S Thrupaliah

Only Mr C Ramaswami Setty and Mr Khaji Abdul Sattar Sahib were the contesting nominees

Votes

Letter No C1-73/41-42 dated 18th January 1942 from the President, Town Municipal Council, Shimoga, to the Deputy Commissioner, Shimoga District, Shimoga

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In enclosing herewith a copy of the proceedings of the Special General Meeting of the Town Municipal Council, Shimoga held on 17-1-1942 for the election of the President in accordance with Government Order No L 5194-96/M1 56-41-105 dated 16-12-1941, I have the honour to state that ten nomination applications were received for the candidature, out of which eight candidates withdrew their respective candidature on the eve of election at 6 P M leaving Messrs C Ramaswami Setty and H Khaji Abdul Sattar Saheb/to contest the election All the 21 Councillors were present and votes were recorded by ballot After the voting was finished, the ballot papers were scrutinised by me in the presence of all the councillors present in the meeting and votes counted All the votes were found valid

Of the two contesting candidates Mr Ramaswami Setty secured 12 votes and Mr Khaji Abdul Sattar Saheb only 9 votes Mr C Ramaswami Setty was therefore declared successful

I therefore request you to kindly address the Government to accord sanction to the election of Mr C Ramaswami Setty as president and intimate the fact to this office early

---

'copy'

Navaneeth

ag Deputy Commissioner,
Shimoga District

A&S

L. 11439

GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE

General and Revenue Secretariat

Dated Bangalore 5/6/42

M 56-41-176

NOTIFICATION

Under Section 23 (2)(a) of the Mysore ~~Section 10 (4) of the Mysore~~ Town Municipalities Act, 1933 and the rules framed thereunder ~~Minor Municipalities Act 1938~~ Mr C Ramaswamy Setty is elected ~~as the Vice~~ President of the Shimoga Town Municipal Council, Shimoga District, in supersession of the existing orders, the Assistant Commissioner in charge of the Shimoga District Treasury who is an additional member of the Shimoga Taluk Board Executive Council will cease to function as such, with effect from the date of handing over charge of the office by the present incumbent to the newly elected Commissioner.

By Order,

Secretary to Government
Law Department

To—The Compiler Mysore Gazette for publication in Part III-3 of Gazette and supply of ten copies thereof to the Secretariat and to the Deputy Commissioner of the District Concerned

MEMO NO L 11440 in the records 5/6/42

Copy of the above is forwarded with compliments to the Deputy Commissioner Shimoga District for information with reference to his letter No 173 dated 24/3 1942 The correspondence 1986 file-no 2

The records accompany

By Order,

For Secretary to Government,
Law Department

GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE

No General and Revenue Secretariat

Dated Bangalore, June 1947.

NOTIFICATION

Under Section 23 (2) (c) of the Mysore Town Municipalities Act, 1933 and the rules framed thereunder Mr.C.Elamaveni Setty is elected President of the Shimoga Town Municipal Council, Shimoga District.

2. In supersession of the existing orders, the Assistant Commissioner in charge of the Shimoga District Treasury who is an additional member of the Shimoga Town Municipal Council and ex-officio President thereof will cease to function as such, with effect from the date of handing over charge of the office of the President to the Non-official President.

By Order,

Secretary to Government,
Law Department.

To

The Compiler, Mysore Gazette for publication in Part III-A of Gazette and supply of ten copies thereof to the Secretariat and to the Deputy Commissioner of the District concerned.

ವಿಶ್ವಕರ್ನಾಟಕ

ಬುಧವಾರ ೨೮—೧—೧೯೪೨

ಶಿವಮೊಗ್ಗ ಪೌರಸಭಾಧ್ಯಕ್ಷ ಚುನಾವಣೆ ಕ್ರಮಬದ್ಧವಾಗಿಲ್ಲವೆಂದು ಜಿಲ್ಲಾ ಮುಖ್ಯಾಧಿಕಾರಿಗಳಲ್ಲಿ ಅರ್ಜಿ

(ಸ್ವಂತ ಸುದ್ದಿಗಾರರಿಂದ) ಶಿವಮೊಗ್ಗ ಜ ೨೭

ಶಿವಮೊಗ್ಗ ಪೌರಸಭಾಧ್ಯಕ್ಷರ ಚುನಾವಣೆಯು ಕ್ರಮಬದ್ಧವಾಗಿಲ್ಲವೆಂಬುದಾಗಿ ನಿನ್ನೆಯ ದಿನ ಶ್ರೀಗಳಾದ ಖಾಜಿ ಅಬ್ದುಲ್ ಸತ್ತಾರ್ ಮಿರ್ ಆಜಂ ಮತ್ತು ಎಸ್ ಎ ರಾಮನ್‌ರವರು ಜಿಲ್ಲಾ ಮುಖ್ಯಾಧಿಕಾರಿಗಳ ಸಮ್ಮುಖದಲ್ಲಿ ಅರ್ಜಿಯನ್ನು ಸಲ್ಲಿಸಿದ್ದಾರೆ

ಓಟು ಕೊಟ್ಟ ಕ್ರಮವು ಪದ್ಧತಿಯ ಮೇರೆಗೆ ಇರಲಿಲ್ಲವೆಂದೂ ಉಪಾಧ್ಯಕ್ಷರು ಒಬ್ಬ ಉಮೇದುವಾರರಾಗಿದ್ದು ತಮ್ಮ ಉಮೇದುವಾರಿಕೆಯನ್ನು ಕೊನೆಯ ದಿನ ಹಿಂದಕ್ಕೆ ತೆಗೆದುಕೊಂಡು ಇತರರ ಉಮೇದುವಾರಿಕೆಯನ್ನು ಸ್ವೀಕರಿಸಿದುದೂ, ಪೌರಸಭಾ ವಿಧಿ ನಿಯಮಗಳ ಪ್ರಕಾರ ಅಧ್ಯಕ್ಷರೇ (ವಿಧಿ ೨೪, ೨೬ರ ಪ್ರಕಾರ) ಕಾರ್ಯ ನಿರ್ವಹಿಸುತ್ತಿರುವಾಗ ಉಪಾಧ್ಯಕ್ಷರು ಚುನಾವಣಾ ಪತ್ರಿಕೆ ಮೊದಲಾದ ವುಗಳನ್ನು ಹೊರಡಿಸಿದುದೂ, ಚುನಾವಣಾ ವಿಧಿ (೨ನೆಯ)ರ ಪ್ರಕಾರ ಪೌರಸಭೆಯ ಸದಸ್ಯರಲ್ಲೊಬ್ಬರು ಆಂದಿನ ಸಭೆಯ ಅಧ್ಯಕ್ಷತೆಯನ್ನು ವಹಿಸಬೇಕಾಗಿದ್ದು, ಹಾಗಾಗದೆ ಎಕ್ಸ್-ಆಫಿಷಿಯೋ ಪ್ರಸಿಡೆಂಟರು ಅಧ್ಯಕ್ಷತೆ ವಹಿಸಿದ್ದು ಕ್ರಮ ಬದ್ಧವಾಗಿಲ್ಲವೆಂದೂ ಇದ್ದರಿಂದ ಚುನಾವಣೆ ರೀತಿಯು ಪೌರಸಭಾ ವಿಧಿನಿಯಮಗಳಿಗೆ ವಿರೋಧಕರವಾಗಿದೆಯೆಂದೂ ಅವರುಗಳು ತಮ್ಮ ಅರ್ಜಿಯಲ್ಲಿ ಸೂಚಿಸುವುದಾಗಿ ಗೊತ್ತಾಗಿದೆ

ಅಲ್ಲದೆ ಶ್ರೀ ಖಾಜಿ ಅಬ್ದುಲ್ ಸತ್ತಾರ್‌ರವರು ಶ್ರೀ ಸಿ ರಾಮ ಸ್ವಾಮಿ ಸೆಟ್ಟಿರು (ಚುನಾಯಿತ ಅಧ್ಯಕ್ಷರು) ನ್ಯಾಯ ಬಾಹಿರ ನೀತಿಯಿಂದ ವೋಟನ್ನು ಪಡೆದರೆಂಬುದಾಗಿ ತಮ್ಮ ಅರ್ಜಿಯಲ್ಲಿ ತಿಳಿಸಿರುವುದಾಗಿ ತಿಳಿದು ಬಂದಿದೆ

4394/L

"Visvakarnataka" 28-1-1942

It is reported that Messrs Abdul Sattar, Mir Azam and S A Raman, have submitted a petition to the Deputy Commissioner Shimoga, complaining that the election of the President of the Town Municipal Council was irregular It is learnt that Mr Khaji Abdul Sattar has stated that Mr C Rama Swamy Setty obtained votes by unfair means

Submitted

Chief Secy 29/1/42

Law Secy 9/1/42

4650/3242 LB & JP Hamilton

The connected file is also submitted

Hm 31/1/42

Hm 7/2/42

Hm 9/2/42